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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,368	10/16/2000	Tracey L. Jones	1005.11	3107

53953 7590 07/03/2006	EXAMINER
DAVIS LAW GROUP, P.C. 9020 N. CAPITAL OF TEXAS HWY. BUILDING 1, SUITE 375 AUSTIN, TX 78759	LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/690,368	JONES ET AL.
	Examiner	Art Unit
	Matthew J. Ludwig	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 April 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,5-10,13-18 and 21-51* is/are pending in the application.

    4a) Of the above claim(s) *3,4,11,12,19 and 20* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,5-10,13-18 and 21-51* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) *3,4,11,12,19,and 20* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5/18/06*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is in response to the amendment filed 4/12/2006.

2.   Claims 1-45 are pending in the application. Claims 1, 3, 9, 11, 17, 19, 43, 44, and 45, are

independent claims. Claims 3, 4, 11, 12, 19, and 20, have been withdrawn by applicant pursuant

to Election by Original Presentation. Applicant added new claims 46-51.

3.   Claims 1, 2, 5-10, 13-18, and 21-45 rejected under 35 U.S.C. 103(a) as being

unpatentable over Kuppusamy have been withdrawn pursuant to applicant's amendment.

Election/Restrictions

Election by Original Presentation

4.   *The submitted claims, 3, 4, 11, 12, 19, and 20, are directed to an invention that is*

independent or distinct from the invention originally claimed for the following reasons:

In reference to independent claim 3, 11, and 19, the claims were amended and rewritten in

independent form. The newly added claim language within the independent claim recites a

means for query processing and searching which, when read as a whole, describes a different

invention than what was originally presented. The claims are directed toward query formulation,

input preparation, or translation, which fall into a separate class, 707/3 and 707/4, Data

Processing: Database and File Management or Data Structures. The claims would require undue

burden on the examiner to search two distinct inventions. The applicant presented claims

directed to an invention distinct from and independent of the invention previously claimed, the

applicant will be required to restrict the claims to the invention previously claimed if the

amendment is entered.

Since applicant has received an action on the merits for the originally presented invention,

The invention has been constructively elected by original presentation for prosecution on

the merits. Accordingly, claims 3, 4, 11, 12, 19, and 20, are withdrawn from consideration as

being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03..

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   **Claims 1, 2, 5-10, 13-18, 21-45, and 46-51, are rejected under 35 U.S.C. 103(a) as**

being unpatentable over Kuppusamy et al., USPN 6,769,096 filed 6/24/1998 in view of Baird

et al., USPN 6,992,687 filed (12/7/1999).

In reference to independent claim 1, Kuppusamy teaches:

Once the frameset is created, the contents (quarterly report) of both documents can be

saved as HTML documents in an Internet browser-readable format (compare to *"storing an*

electronic version of a paper, the version being displayable on a display device as a likeness of

the paper"). See column 10, lines 8-16.

A heading is detected within the first location of the quarterly report, which provides a

reference to a second location within the quarterly report (compare to *"detecting a reference to a*

second location, wherein the detected reference is a phrase"). See column 7, lines 45-67.

The creation of the entries in the TOC document occurs once the selected headings are

identified. A hyperlink entry is created in the TOC document for each selected heading (compare

to "*in response to the detected reference, embedding a hyperlink within the first location*"). See

column 8, lines 25-38.

The text of the entry into the TOC document may be displayed in a different color than

ordinary text, or the text of the entry may be underlined to identify its linking function. In the

screen display, the links are displayed as underlined text (compare to "*when the first location is*

displayed on the display device, highlighting the first location to indicate the hyperlink as

being selectable by a user to cause an operation associated with the second location"). See

column 8, lines 48-60.

The examiner believes the first location is taught by quarterly report and the TOC

document. The reference provides the two separate pieces of information related to each other in

one display. Highlighting the first reference would equate to underlining/changing the color of

the section name found within the quarterly report. The creation of the entries in the TOC

document occurs once the selected headings are identified and indicate different locations within

the document (compare to "*detecting a reference to a second location*"). See column 8, lines 25-

38. The reference provides a quarterly report and the TOC document for each selected heading.

The reference fails to explicitly state that the embedded hyperlink is found within the detected

reference; however, Baird teaches a method of creating a page object in response to a selection

signal. A visual indicator which is created to allow the user to access different parts of a

document is displayed along with the desired part of the document. See column 5, lines 15-28.

Furthermore, although the visual indicators depicted in Figures 3 and 4 are shown along the top

margin, they may be equally displayed virtually anywhere relative to the document being

displayed. The reference teaches embedding links anywhere within documents. It would have

been obvious to one of ordinary skill in the art having the teachings of Kuppusamy and Baird

before him at the time the invention was made, to modify the embedded link methods taught by

Kuppusamy to include the placement methods of Baird, because it would have given the user

multiple destinations within a document to place links and allowed for a more organized display

of embedded links.

In reference to dependent claim 2, Kuppusamy teaches:

A hyperlink entry is created in the TOC document for each selected heading. A hyperlink

has two components: a link and an anchor. The link is a specially activated word, phrase or

image in the TOC document that, when triggered, transfers the focus to the anchor in the target

document. See column 8, lines 25-47. The reference describes two distinct sections or frames on

a display device. The TOC includes hyperlinks that are associated with multiple sections of the

target document (compare to *"displaying a first selector associated with a first portion of the*

paper, displaying a second selector associated with a second portion of the paper"). See

column 8, lines 25-47

In reference to dependent claim 4, Kuppusamy teaches:

The reference provides a hyperlink entry created in the TOC document for each selected

heading. A hyperlink has two components: a link and an anchor. The link is a specially activated

word, phrase, or image in the TOC document that, when triggered, transfers the focus to the

anchor in the target document. See column 8, lines 25-47. The reference fails to explicitly

disclose the second location external to the paper; however, the two separate documents (the

TOC and the target document) could be considered as providing a link to a document external to the target document.

In reference to dependent claim 5, Kuppusamy teaches:

Each entry is functional to cause the target document to scroll in the right frame until the heading corresponding to the entry comes in to view. See column 9, lines 42-46.

In reference to dependent claims 6 & 7, Kuppusamy fails to expressly teach a zoom function or an enlarged format, however, the Examiner takes Official Notice that the use of a zoom function and enlarging a format were well-known Microsoft Word options. The reference states the utilization of Microsoft Word, which includes several ways for viewing documents.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Microsoft Word's many features for viewing documents presented to a user on a display since it would provide the user with enhanced viewing capabilities.

In reference to dependent claim 8, Kuppusamy teaches:

The text of the entry may be displayed in a different color than ordinary text, or the text of the entry may be underlined to identify its linking function. In the screen display the links are displayed as underlined text. Alternatively, the link may be a graphical image rather than text. See column 8, lines 50-59.

In reference to dependent claims 9, 10, 13-16, 43, and 44 the limitations reflect the system comprising computer readable instructions used for performing the methods as claimed in 1, 2, and 5-8. Therefore, the claims are rejected under similar rationale.

In reference to dependent claims 17, 18, 21-24 and 45, the limitations reflect the computer

program product comprising computer readable instructions used for performing the methods as

claimed in 1, 2, and 5-8. Therefore, the claims are rejected under similar rationale.

In reference to dependent claim 25, Kuppusamy teaches:

A heading is detected within the first location of the quarterly report, which provides a

reference to a second location within the quarterly report (compare to *"detecting a reference to a*

second location, wherein the detected reference is a phrase"). See column 7, lines 45-67.

In reference to dependent claim 26, Kuppusamy teaches:

In the disclosed embodiment, the Heading have been assigned that particular style and

are, therefore, identified as entries for the TOC document. See column 7, lines 55-67. It would

have been obvious to one of ordinary skill in the art at the time the invention was made to assign

a particular style to any text including a page number because it would have given the user a

means of collecting and separating pages and sections of a document based on the style of a page

number.

In reference to dependent claim 27 & 28, Kuppusamy teaches:

When the link at Entry is triggered, the focus of the target document will shift to an

anchor located at "quarterly report.html#Executive Summary". See column 8, lines 55-67.

In reference to dependent claim 29, Kuppusamy teaches:

The creation of the entries in the TOC document occurs once the selected headings are

identified. A hyperlink entry is created in the TOC document for each selected heading. A

hyperlink has two components: a link and an anchor. See column 8, lines 25-45.

In reference to dependent claim 30, Kuppusamy teaches:

In the screen display, the links are displayed as underlined text. Alternatively, the link may be a graphical image rather than text. When the link is triggered, the focus of the target document will shift to an anchor located at "quarterly report". See column 8, lines 48-67.

In reference to claims 31-36, the limitations reflect the system comprising computer readable instructions used for performing the methods as claimed in 25-30, respectively. Therefore, the claims are rejected under similar rationale.

In reference to claims 37-42, the limitations reflect the computer program product comprising computer readable instructions used for performing the methods as claimed in 25-30, respectively. Therefore, the claims are rejected under similar rationale.

In reference to dependent claim 46, Kuppusamy teaches:

A TOC document is created within a frameset. An RD field could be inserted into the TOC document to identify the target document as the document to be linked to the TOC document. The TOC document allows searching based upon the headlines found within the detected reference. See column 13, lines 1-22.

In reference to dependent claim 47, Kuppusamy teaches:

Each entry is functional to cause the target document to scroll in the right frame until the heading corresponding to the entry comes in to view. See column 9, lines 10-45.

In reference to claims 48, and 49, the claims recite the system comprising instructions for carrying out the watch list methods found within claims 46 and 47. Therefore, the claims are rejected under similar rationale.

In reference to claims 50 and 51, the claims recite the computer program product for carrying

out the watch list methods found within claims 46 and 47. Therefore, the claims are rejected

under similar rationale.

Response to Arguments

7.   Applicant's arguments with respect to claims 1-45 have been considered but are moot in

view of the new ground(s) of rejection.

        Applicant argues on pages 13 and 14 of the amendment that Kuppusamy teaches a target

document and the TOC document, which are independent windows yet the claim states

embedding a hyperlink within the detected reference. The newly formed claim language found

within the independent claim changes the scope of the claim when the claim is read as whole.

Therefore, the instantaneous rejections have been changed accordingly. The Baird reference was

added to teach the placement of a link in different locations within the same detected reference.

The creation of the entries in the TOC document occurs once the selected headings are identified

and indicate different locations within the document. See column 8, lines 25-38. The reference

provides a quarterly report and the TOC document for each selected heading. The reference fails

to explicitly state that the embedded hyperlink is found within the detected reference; however,

Baird teaches a method of creating a page object in response to a selection signal. A visual

indicator which is created to allow the user to access different parts of a document is displayed

along with the desired part of the document. See column 5, lines 15-28. Furthermore, although

the visual indicators depicted in Figures 3 and 4 are shown along the top margin, they may be

equally displayed virtually anywhere relative to the document being displayed. The reference

teaches embedding links anywhere within documents. It would have been obvious to one of ordinary skill in the art having the teachings of Kuppusamy and Baird before him at the time the invention was made, to modify the embedded link methods taught by Kuppusamy to include the placement methods of Baird, because it would have given the user multiple destinations within a document to place links and allowed for a more organized display of embedded links.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
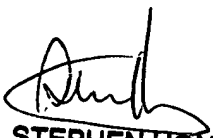
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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ML
June 13, 2006

STEPHEN HONG
SUPERVISORY PATENT EXAMINER